

13. A BRIEF 1660
EXAMINATION
AND
CONSIDERATION
Of the unfound
PRINCIPLES

Upon which the
Armies Plea
(Lately committed to publick view,
is grounded.

Wherein the Repentance of those *Army-
men*, and the Conversion of all other persons from
the Error of their ways, who have (in what capacity so-
ever) acted by the said *Principles*, is most earnest-
ly desired and specially aimed at.

By a Friend to the Truth.

LONDON,
Printed for *Humphery Tuckey* at the black-spread-Eagle in
Fleetstreet, near *Saint Dunstons-Church*. 1660.

185
+ 14, 2 cm
34 p.

EXAMINATION

A. M. D.

CONSTITUTION

Of the nation

PRINCIPLES

of the nation

ARTICLE I

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

Section 3. The Senate shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have the Qualifications requisite for Senators of the most numerous Branch of the State Legislature.

Section 4.

Section 5. The Congress shall assemble at least once in every Year, and such Meeting shall be held on the first Monday of December, unless they shall by Law appoint a different Day.

A brief Consideration of some Principles
upon which the Armies late PLEA
is grounded.



That the principal End of publick Government (next unto the glory of God) is the protection and preservation of all good men, in their peaceable and quiet living in all godliness and honesty.

Principle
The first.

If the end of Government be so limited, only to the protection of good men, (who are known only to God) and of such only as live in all godliness and honesty, (which very many do not) this Government notwithstanding, all ungodly, dishonest and evil men may commit what outrages they will upon one another. And whereas they that really and truly good, may be had in abomination among men, as that which is highly esteemed among men, is abomination in the sight of God; by this Government thus limited, the good people of God, whose life is hid with Christ in God, may be liable to all the injuries and mischiefs which they that Saint themselves, and (contrary to the Apostles rule) esteem themselves better than others, and act their hypocrisy in the fairest colours of zeal and sanctimonie, can put upon them.

That the Magistrates duty in all forms of Government whatsoever, is to defend all good men from all injuries while they so live.

The second.

This limitation also exposeth all good men, that are really and truly such, to the greatest insecurity; it being impossible for them to be assured that they shall be deemed such. And it also opens a wide gate to injuries, in some

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case; to wit, in case they to whom they are done, do not *so live*. But surely, no good Government will permit *injuries* to be done to any person or persons whatsoever.

The third.

That the belief and persuasion of the former principle, is a Light that hath shined into the minds and judgments of many sober and discreet men.

Yet perhaps, even in this, darknesse is put for light, and light for darknesse. For, it is too probable, that such a principal end of Government as shall serve only some mens turns, may exclude from protection by it, even some of those discreet and sober men themselves, and give them cause to confesse the darknesse of that light. Otherwise, he that is but deemed and taken, or but suspected to be no good man, or an evil doer in any kind, may be torn in pieces by hypocritical Zealots, or turned out of his whole estate, without any legal trial, or due processe of Law against him.

This fourth.

That the peoples safety is the chief Sovereignty.

Salus populi est suprema lex, The peoples safety is the supreme Law, is a good rule, in a right sense: that is, when by [the people] is meant the whole Nation, not a party only, professing themselves to be *good men*. And the meaning of it may be, That all Laws in every Nation should be such as may serve to that end, the general safety of that whole Nation; in which universal, the Prince and Peers are especially comprehended. But if there be any Law already enacted in this Nation that is not more disproportionate to that end, than those most ancient Laws and Customs are, upon which the true Government thereof is founded, (under which that Supreme end hath been time out of mind obtained, much more fully than since that was interrupted,) is such a Law, fit also to be taken back with promises, Protestations, Commands and Orders by *mere force* to be run down, before it be duly repealed by *such an Authority* that

that made it. If this be asserted, What assurance can the people of the Land ever have, of life, estate, or liberty, by any ancient, present, or future Law or Laws, by what Authority soever established? And whether the Law be convenient to that end or not, who shall judge? What, they that have nothing to do with the *Legislative Authority*?

That Kings, and all that are in Authority, are Gods Ministers for his peoples good. The fifth.

Very good! Therefore Kings, and all that have like authority in every Nation, must needs have their civil power from God, and that directly and immediately, there being no intermediate power between *his* which is the principal, And the ministerial, which is the Kings: as there is no natural power between that of the Principal Cause, and that of the Instrumental, in any work of nature.

What then can any persons whatsoever have to do, to question, or controul that Supreme Person, whom God hath thought fit to use as his own Ministers? What if such a Sovereign Prince be as ill a Governour as *Nero* was? He was once such a Minister of God; to whom, as bad as he was, the Apostle commands every soul; that is, all, but such as have no souls, nor consciences, neither to be subject to; and that, even for conscience sake. But, the Christian Kings of this Nation have ever been Nursing Fathers to the Church, not persecutors of it, as that Tyrant was, and are therefore (upon that account) much more true, proper and immediate Ministers to Him that is the only Supreme Head of the Church, than that Heathen was.

There is not therefore lesse obedience due to these, but more. Howsoever, since they are the Ministers of God, and as his Ministers, entrusted of him, they must needs have full power and authority from God, to pursue that trust. Therefore, as the whole Nation cannot acquit the Supreme lawful Magistrate of the Trust, nor of the act of

Gods,

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GOD, (in committing to his trust a part of his own univer-
sal Government of the world,) no more can they lawfully
resist or endeavour to suppress, or lessen that just and
rightful power, upon which the pursuance and effectual
performance of the same trust dependeth.

It is therefore a false and groundlesse insinuation, that
because *Kings are Gods Ministers for his peoples good*, Ergo
the people of God, that is, the *Independents, Anabaptists,*
and the *Quakers*, may lawfully turn Him out of that office,
and out of the world too, if they (though private persons
all) do judge it conducing to *publiick* (that is, to their own)
safety, (being conscious to themselves of their *unrighteous*
practices,) so to do.

The sixth. *That Governours were made for the people, and not the
people for them.*

What then? Ergo, the people may cast off their Go-
vernours, and all known law, and the only lawful Govern-
ment also at their pleasure. *Non sequitur.* Christ as man,
was made for the people, Ergo, The people had a
just power to deal by Him as they did. This collection
is more horrid, but the other as false as this.

The seventh. *That they (to wit, Kings and Governours) have no power
and authority, but what (under God) they have from the people,
and for their use.*

That which is from the people, and only under God, is
not of God, or from Him. And what is this but expresse-
ly contradictory to the words of the Apostle? *There is no
power, or the power is not, but from God.* There are two
great Kingdoms, the Kingdom of Heaven, and the King-
dom of the world, and God is immediately by himself the
King, as well of the latter as of the former; (*The Lord is
our King.* Isa. 33. 22. *King of Nations,* Jer. 10. 7. *The
Kingdom is the Lords, and He is the Governour among the
Nations,* Psal. 22. 28.) Therefore the Apostle exhorting
the

the Christians to be subject to the Civil Government, gives this reason of his exhortation, *For the power* (though merely Civil) *is of God.* And lest men should think it is of God, but as the Universal Cause of all other things, and not as the sole and immediate Author and Dispenser of it, He expressly denies it to be of any other: *The power* (saith he) *is not but from God.* For, let it be considered, if it be not against all understanding, to think the Apostle would exhort Christians to obey the Civil Power, only upon this general account, that it is from God as all things else are, and not otherwise. For, upon that account the exhortation must needs also carry them to obey a thief, and that for conscience sake; for even a thief's power by which he is able to rob and do mischief, is (in this sense) as much from God as the most lawful power that is.

The Apostles meaning therefore must necessarily be (and in that the difference lies,) that the Civil power which the Magistrate as the Minister of God is endued with, is the *special* donative and gift of God, which the other is not; yet they both agree in this, that they are both (as all things else are) *immediately* from God: As indeed whatsoever He doth, He doth by Himself *immediately*, not *mediately*, (as is falsely fancied,) For how can He that is immediately present every where, and in every thing, stand off at a distance in any work of his? How then, in the collating of the Civil power? If it be his Authority and Power that is in His Minister, the Supreme Magistrate, it is manifestly against all truth and sense, to imagine that He gives it not immediately by Himself, who must do every thing by Himself immediately that is done by Him. And if it were not God's own Authority which is in the Supreme Civil Magistrate, who only in himself without Commission from any earthly Power, *beareth the sword*, since God alone is the Lord of life, and every man is created in his image,

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it were absolutely impossible that it should be just and lawful for the Magistrate to take away the life of a man in any case imaginable. And as for the whole people, not having the power of Magistracie personally committed to them of God, they have no more power of the life of any man, than any one private person hath. If then the power of all Sovereignty or Supreme Authority, by which the life of man, in any case, may lawfully be taken away, be only Gods own peculiar, and not mans, it is impossible that the whole people, or all the men in the world, should give that which is none of theirs to give.

He therefore that hath a publick, known, certain, and unquestionable right to govern as supreme Magistrate, either by ancient inheritance (which is the best and clearest right that can be had of any thing,) or by any other just and lawful means, the same hath all civil power and authority to govern only and immediately from God, whose peculiar it is. In as much then as the right and just authority to govern, is solely and immediately from God, where that right and power is once fixed, (by what means soever it first came so to be,) it is *there fixed by God*; and can never lawfully (without a special command from God) be refixed or disannulled by man.

If this may not be deemed, as it really is, a clear demonstration, let it be duly and impartially considered, whether there be any at all, or the like evidence for the opposite opinion, which is here laid as a *Principle*, without any proofs, and as a main foundation, upon which a very great weight relies.

Yet, without doubt, the solidnesse of this *Principle* is the more to be suspected, because none but Heathens and *meere* Polititians have ever held it, till it came to be professed by some in this Nation, a few years since.

And those first Authors fell into it, *merely upon the account*

account of *Infidelity*; to wit, in that they either knew nothing of, or did not believe, that the only true God is the worlds Creator, and (by that special right) the sole Governour thereof; and consequently, that all power of government is solely and precisely His; which (then,) it is impossible that any should have a right to give but *He*.

Seeing then, that *Salus populi*, the peoples eternal safety is (indeed) the only supreme end in immediate subordination to Gods glory, it would be well considered by them all, and especially by them that must *answer* for them all, and for themselves too, whether it be not the only safe way to that Supreme safety, (yea and to their temporal safety too,) to do that wherein they cannot do amiss: *to restore an ancient Right*: For, to do this, is no more nor lesse but what natural righteousness it self requires, as the proper and inseparable act and duty of it. And, besides that, the whole torrent of the Scriptures are for it, and not one syllable (so much as seemingly) against it. It may be considered also that the said opposite Opinion and Principle hath no foundation at all in Scripture, (nor in the reason of a Christian:) For, therein, there is no mention of the peoples giving Civil authority, or making a King, but where that King was made before of God, without the peoples consent, or notice of such a thing. Neither is there in Scripture any Example of a peoples casting off finally their Allegiance, but of the ten Tribes: And yet that was by a special appointment of God; but this was more than they then knew; and therefore, to them, it was as their own act; and being so, God punish'd them for it with perpetual and final dereliction to Idolatry. There are no safe untrodden paths in the way to Heaven.

That uncontrollable power and absolute authority do become The eighth. none but only Him; whose nature is perfect, and can do no wrong.

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Power is absolute and uncontrollable two wayes; first, by being so in it self intrinsically; secondly, by being so in relation to men; that is, though it be controllable by God the immediate Author of it, yet by men it is not. This uncontrollable authority in relation to men, must be found, and is; in all supreme Magistracie: For if supreme or chief Magistracie be controllable in them that justly possesse it by any other men, (of what quality, or in what capacity soever they be,) those Controulers themselves either have uncontrollable power, or they have not: If they have not, then may they also be controuled by others, and those again by others, and so onward, to an endlesse and indeterminable confusion; If they have, then there is some uncontrollable power beneath that which is in God: And if so, then certainly it can only be where God, from whom all power is, hath plac'd it; that is, where it hath ever visibly resided, and practically appeared, by divine permission, approbation, and special Ordination, *time out of minde*. If it hath so resided and appeared time out of minde in those that think they may controul it in the Supreme Magistrate, then let them for ever have it: But if on the contrary, it hath been publickly and experimentally known to have resided ever in the Supreme Magistrate (whose Supremacie hath been recognized even by National Oaths,) it is only *His Right*, maugre all that can (with sence) be said to the contrary.

The ninth.

That though Supreme Magistrates be above every individual, yet are they beneath, and inferior unto the whole.

Certainly, the too much boldnesse, or the too little brains of such as being but a handful in comparison of the whole will yet pretend the authority of the whole for their lawlesse practises, may justly be wondred at. There never was a Schisme in the Church, but the parties to it immediately took upon them the Name and Title of the Church, as if there were no Church, nor any

any true Christians beside themselves, the unworthiest indeed of all other to be so accounted. And exactly so it is in the Civil State: Any number of persons once combined and formed into a faction, (especially having gained power enough, as they think, to prevail over the rest,) will immediately bestow upon themselves very liberally the Name and Title of the *Nation*, the *whole* people, and the *Common-wealth*; and will certainly call their own Security in their unrighteous wayes, the *Publick Safety*, and the *Common good*; and all other men, that justly hate their grosse unrighteousnesse, the *Common Enemy*. And here, a Party not very considerable in comparison of the whole, takes upon them to talk of the *whole*, as if there were no people in *England*, or none of any note beside themselves. Or, if they speak, *as in behalf* of the whole, (whose mind and will they either know not, or know to be justly opposite to theirs,) they should remember, that when the whole should appear and shew themselves in their Universal capacity, in choosing freely their full and equal Representative, they were to have the base bondage put upon them, to be so limited therein, as to be made the Instruments of their own destruction. Have any of the Kings or Queens of *England* so tyrannically encroached upon the Peoples Right, as to *limit* them in their Choise, beyond or beside the limit of known Law and Custome? But the whole people (after too palpable Experiment of the Losse of their ancient Liberty,) will never be flatter'd into eternal bondage to any Party or Faction by being told of a new Discovery of an unknown right, by those men that have deprived them of their old; Nor will they ever be made believe, that their Lawful Supreme Magistrate, whom (they very well know) God hath set over them, is *inferiour* to them.

But, how little truth there is in the fore-recited Prin-

ciple; [*That Supreme Magistrates are inferiour to the whole, that habounds every individual,*] it evidently appears, in that it plainly signifies little lesse than a contradiction: For, what is it but every individual in any number. whatsoever, that makes up the *whole*? Or if it be meant not of every, but of any one, severally taken, it signifies nothing; unlesse it be, That the Supreme Magistrate is superiour only to *Thomas*, and *William*, and *James* and *John*, to wit, severally, but not joynly: And, if this were true, it would indeed be a brave encouragement to any powerful party that should oppose the Publick Weale, and seek the subversion of the Fundamental Laws, Customes, and Constitution of the whole *Civil Body* of the Kingdome. And how soon such a *Party*, well armed, will call themselves the *Whole*, experience enough hath taught all men to know: And then all the rest of the whole Nation is at their mercy, and that without remedy: For the Supreme Magistrate hath no authority over them as they are a combined pack of Rebels conjoynd in a close conspiracy, whatsoever authority He may have over every individual, in severality from the rest, now call'd the *whole*. Who sees not that this Doctrine is meerly Anabaptistical, striking at the root of all Magistracy properly so called: For whatsoever power can be pretended or imagined to be in the whole people, (which is indeed the whole,) it is no such thing as *Magistracy*. And if there be any such power that can justly nullifie or check all Magistracie, the most rigid Anabaptists will require no more, to warrant any enterprise for the utter subversion of it. But, that there should indeed be any power in a Nation, (beside the natural vigour that is in them,) but only the *Civil* power of *Magistracy*, is a meer *Chimera*. All the individuals, and every one put together (the Magistrate excepted) are but *private persons*, endu'd with no more civil authority than any one.

one of them is by himself alone : Consequently, the Supreme Magistrate must needs be above and Superiour to the *Whole* number of them all. There is a sure way of arguing in Logick, which they call *Induction*, by which, out of a full enumeration of every individual, an Universal is undoubtedly concluded : And *Universal* is that *Whole* that is made up of nothing else but of every particular or individual contain'd under it. That the Supreme Magistrate therefore is Supreme to every individual (without exception,) (which are meer private persons all) but inferiour to the *Universal* or *whole*, (for all that,) is too much a nicety (at best) for the whole weight of mens *salvation* to rely upon; it being no lesse than *damnation* that God hath already denounc'd against them that *practically* er in this particular.

Besides, it may be here considered, that that which in every Nation makes the several individuals to become one *Whole*, is that whereby they are incorporated as members of the *Civil Body* of a Kingdom or Common-wealth; and that is, the anciently received, accustomed *fundamental* constitution of it : This therefore dissolved, either in all, or in any of the Essentials of it, the whole Compages and joynting together of this Body is utterly dissolved with it. If therefore the Supreme Magistrate, (who, in every ancient Kingdom can be no other but the King,) being the sole Head of the Civil Body of such, be taken away, suppressed and banished, and the Kingdom (by consequence) cease to be what it was and hath ever been, the people are no more one *Whole* (however held together by constraint) than a heap of stones; and the only foundation of true justice, and of all civil administration that can be just, is taken away. And, to prevent this fatal mischief, and for no other cause, it hath ever been a maine and fundamental Maxim in the Law of England, *That the King can never dye.*

It can never therefore be possible in this or in any other Kingdom,

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Kingdom, for the Whole Body to destroy the Head, but that Body must be *solo de se*, and utterly cease to be any Body at all. This *Whole* therefore can never in Law, or right reason, or common justice have any *Superiority* above the Supreme Magistrate, to any such effect.

The tenth.

That the Essential End of all Kings, Rulers, Lawes and Governments is the Common peace, justice, and safety of the people.

This principle may be true, but can be nothing to those mens purpose that seek to justify the utter dissolution of the whole Civil Government thereby. There is not a Government in any Nation in the world, but in some usages, Customes, Offices, Officers, Lawes or administrations may be apparently obnoxious to some obliquities and deviations from the true End of Government: Shall therefore the Government it self be blamed? Shall it wholly be dissolved? Shall private persons do it? Or shall it be lawful for those (in what capacity soever) to seek the subversion of it that have sworn to maintain it? Any violent change in a Government brings more and greater evils with it, than can ever be removed by it; and perhaps, the *same* that were complained of in a far greater measure, and with lesse hope of remedy. The total dissolution of a Government (that not reserved that is most essential to it,) infers an *Universal Parity*, leaving none in more *just* authority than other. And it must needs be so. For, (the only known Legal Government once dissolved,) what should such *just* authority in any over others be grounded on? What then have any to do in setting up a new Government more than others? And why have not others a better right to re-enforce the old, than any can ever have to erect a new? Nothing can here make a difference, but meer force and violence, than which, nothing in the world is more directly opposite to what is truly

truly just. And, it would be remembered, That, *violence is never of any long continuance*; but Turnings, and Over-turnings will have their certain revolutions, till Force shall cease, and Justice come in place, whose inseparable act it is, to restore to every one his right.

If the common peace, justice, and the safety of the people be the End of Government, then is Government the Means to that End; which no Government can ever be, if it be *not just*: And no new Government ever can be such. And the Change of an ancient Government in any Original and Fundamental part, is the erecting of a New one. And for this cause it is, that the Wisdom of God in *Solomon* commands us to fear the Lord and the King, and forbids to meddle with them that are given to *change*: to wit, because the change of a settled and ancient Government (especially, without an universal consent, as well of the Governours, as of the governed,) is necessarily *unjust*: (besides the most unjust Subversion of the great End, the *common peace*, and *safety of the people*, in the effecting of it.) For, though other Forms of Government be just in themselves, yet none can be just in this or any other Nation, but that which is established upon the *only proper foundations* of justice in it: and what are those, but the fundamental Lawes, Rights, Customes and Possessions that have ever inviolably and immutably continued in it, (which have no other foundation beside or beyond themselves, and which all *particular* Lawes and Sanctions are established upon;) For, if these be not the *unquestionable* Rules and Measures of Justice in this Nation, it can never come to be agreed on what Justice is, or what is just. Hence it is, that, since the violent casting down of these foundations, (that is, *de facto*,) people talke of Justice at all adventure, making no Law Divine or Humane, but their own self-will or fancy the only measure of what they call just.

That:

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The eleventh *That no Governours or Governments are to be continued and tolerated which are directly and plainly destructive unto the chief end of their Original appointment, viz. Common Good.*

Let this be the *Major*; and then the *Minor* must be this; But, all the Governours, and the whole Government of this Nation (under which the people have long flourished in wealth and peace,) was, all on the sudden, become *directly and plainly destructive to Common Good. Ergo*, The Government of this Nation, or any of the Governours thereof are not to be continued and tolerated.

What if this Conclusion were true? May such Governours or Governments as are not to be continued and tolerated, be taken away and destroyed by private hands? When *Saul* was such a Governour, and not to be continued, did *David* (though already in *Sauls* roome anoynted,) seek to destroy him? No; but, *as the Lord liveth* (said he) *the Lord shall smite him, or his day shall come to dye, or he shall descend into battel and perish.* Else, what security could there ever be to the best Governours or Governments in the world? How easie a thing is it for any private person, transported with prejudice or passion, to discern (as he thinks) the Magistrate (how good soever he be) to be *directly and plainly destructive to Common Good*? There can no seditious party arise but must needs be of that perswasion: Shall this then Legitimate an Insurrection? Or, shall it be lawful for any one among them to do as *Raviliac*, or as *Felton* did? And, against the only Ancient and Legal Government it self, (upon which all the Authority in the whole Nation necessarily depends) all persons what soever are but private men.

But, the Conclusion must needs be false, because both the premises are so: And first, the *Major* which is the principle. For there can be no Government, (if it be but that)

which

which can be destructive (as is supposed) to the Chief End of its own appointment. The general good of Government must needs be competible to every lawful kinde of Government, under what corruption soever. Therefore every Government, which is the *only lawful* Government of any Nation, must be continued and tolerated, to avoid as well unlawful usurpation as lawlesse Anarchy, (one of which must otherwise inevitably ensue,) and only the corruption be taken away, (if any be found in it.) The *Minor Proposition* (which, to make that Principle applicable to the present practice, must needs be added,) is matter of fact; to wit, That all the Governours and the whole Government of this Nation were *directly and plainly* destructive to the Chief End of their appointment.

To be destructive to the Chief End of Government, is apparently inconsistent with any lawful kinde of Government, that is really such, as Monarchy (for certain) is: Nor is any such Government capable (as long as it remaineth such,) of any possible corruption that can destroy that End, *viz.* Common Good; which, nothing but the evil of Anarchy can (*directly and plainly*) be destructive of. It is as unlawful therefore to destroy a lawful Government of any kinde, (justifiable against all other by the prescription of all time past,) as it is to introduce the Opposite to the inseparable End of it; to wit, Universal Mischiefe, The inseparable Effect of Anarchy; or, Universal Injustice, the inseparable Adjunct of Usurpation. The End of all Government, (which is that Common Good, by which the Common Evil of Anarchy and of unjust Usurpation is taken away,) being inseparable from it, the Supposition of this Principle, *That Governours and Governments can be destructive to Common Good,* is a Contradiction in adjective.

That the power and disposition of the publick Militia, and of the The twelfth
publick

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publick Treasury, were never vested by the people in their Supreme Governours, but for their use, peace, and safety.

If these were never known in any former age to be in any other hands, but have ever been in the actual possession of the Supreme Magistrate time out of minde, and beyond the mention of any certain History, who is able to say they were ever *by the people* vested in them? If the Supreme Magistrate be entrusted of God, whose peculiar all Government is, and not of man, or men, whose it is not; as the power of Government, so the sinews of that power, (the Treasuries and the *Militia*) must needs also be invested in Him, not of the people, or any other, but of God alone.

All along it may be observed, how the Politicians of these times have raked Hell for their policy. *Plato* and *Aristotle*, and other Heathens, who thought the world was from eternity, and never knew the only true God, much lesse that he was the Maker and Creator of it, did not understand, that the whole Government of the world, and of the Nations of it, was, in right of Creation and Conservation, *His peculiar*; And so, (not so much as owning the true God,) could not imagin whence Civil power should arise, if not from the people. But that (even under the profession of Christianity) this old Heathenisme should obtain a Resurrection in the policy of a Christian Nation, is a very sad presage.

• Since God, as the worlds Creator and Conservator, is, of his *own right*, the *only* Governour thereof; none can ever justly govern, but by Communion therein with Him, in whom it ever must inseparably remain. For, all Dominion, and power, and glory are so *properly* His, that the *property* of them can never be made over absolutely to any other. Whosoever therefore hath a just Right to govern, hath it only by Communion therein with God, as

His

His Minister in the administration of it, and not from men. Hence it was, that the *Israelites* (of old) when they desired to have a King as other Nations had, went and made their address directly and immediately to God. For, till then, God had kept the administration it self over that people in his own hand; which is an evident indication where and in whom all civil power is properly residing; and this plainly shews that from *Him alone* it can be communicated to them that are His Ministers in the formal dispensation of it. In as much then as the civil power cannot be dispensed without the *publick Militia* and the *publick Treasury*, these also as well as the power it self are entrusted by God into the hands of His Supreme Minister and Vicegerent, and not by the people. More especially, the *Militia*, being the more publick *Sword of justice*, can never justly be in any hand, but his, to whom God himself, the only Lord of life, delivers it.

That whatsoever Laws, Usage, or Customs are against the Thh 13th. Laws of true Religion, Reason, Nature and Grace, are irreligious, unreasonable, unnatural and gracelesse; and therefore Null and void in their very making, and cannot oblige.

But, Such were, and are, all the known Laws, Usages and Customes of *England*, by which the true, and only lawful Government by King, Lords, and Commons assembled in Parliament, have been originally constituted, and have hitherto continued. *Ergo*, All those Laws, Usages and Customes are null and void, and were so in their very making, and cannot oblige. That must be the Assumption, and this the Conclusion; or else, the Principle is nothing but so many empty words, which signifie just nothing, as to the present practice.

But the Conclusion must needs be false; because the Assumption is not only false, but impossible to be true; unless it can be thought a thing possible that a true Chri-

stian

ttian Nation should at first commence, and for many hundreds of years uphold, maintain and continue such a Government as is founded upon such Laws, Usages and Customs as are against the Laws of that true Religion that is professed by them; and not only that, but against reason, nature and grace; and consequently, irreligious, unreasonable, unnatural and gracelesse. Such a Government certainly there neither is, nor ever was, in any Nation, Christian, Mahumetan, or Heathen: It being a thing impossible that any whole Nation should so far cease to be men, as to erect and continue a Government, and establish Laws, and give way to Customs that are against that reason and humane nature by which they are *men*, and not Horses, Mules, Lions, Tygers, Beares, or Wolves: Or, that they should be of any Religion good or bad, and make Laws contrary to that Religion that is professed by them.

The result upon the whole matter is this; If this impossible and most absurd Assumption be not true, the *present practice* upon the confidence of the truth of it, is not to be justified, but to be justly condemned, and either to be repeated of, or finally punished (perhaps in this world, but certainly) in the world to come.

Next to those Principles, it follows thus;

These and many the like Principles of common reason have been distilled into the judgments and consideration of the free people of this Nation, by means whereof it will not be an easie matter for any Rulers in any form of Government whatsoever, to reduce them again unto their former yokes of bondage and slavery.

Here's the desperation of all firme, stable and constant settlement in any forme of Government whatsoever. For if these Positions must be all taken for undoubted Principles, and the practical Application of them left to *private* persons, that is, indifferently to *the free people of the Nation*

on, there can never be any Sedition or Insurrection but may be justified: For if the Parties to it may themselves be judges, it were madness in them not to condemn subjection to the present Government (how good soever) to be bondage and slavery.

But, because it is here intimated, that the free people of this Nation have been under *former yokes of bondage and slavery*, it would be considered, first, whether bondage and slavery was really and truly the condition of the people of this Nation in former times: Secondly, how much worse their condition of such former (falsely called) bondage and slavery was, than the (pretended) *Liberty*, wherewith they have since been vexed, harassed, impoverished and (little less than) ruined; and under which they must expect to suffer the same horrid Exactions of immense sums of money, as long as any new Government shall stand, which can no longer stand than the vast charge of a huge Army shall uphold it. This the poor enslaved and miserably depressed *free people of this Nation* do all in general so very well understand, (it having with heavy strokes been beaten into their heads,) that a few sugared words, and fair promises (from them that profess they will keep none, and have broken all they have already made, though bound with sacred and solemn Oaths,) will never be heartily believed, or much regarded.

But, if under the ancient Government there was any such thing as *real* bondage and slavery (beside the bondage which poor Copiholders are still like to endure under those that knew how to *free themselves* from the Court of *Wards*;) it would be considered whether the fault was in the Law, or in the form of Government, or in the Office of governing, or in the persons in whom the publick Administration resided?

The Government and the Forme of it, were certainly

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without exception: For, three simple forms of Government there are that are lawful and just in themselves by the confession of all men; and the ancient and only lawful Government of this Nation hath all that is good in all the three; and is therefore in *it self* the best Government in the world. Consequently there could be no fault, unless it were in the personal Administration; and then it would again be considered, whether there was any such thing as was reputed a fault; and whether that, that was deemed a fault, were any fault at all, since they that will *despise dominion, and speak evil of dignities*, will also *speak evil of those things which they know not*. And then whether any Governours are obliged to a *Papal infallibility*, under the penalty of having their heads taken off at their own gates? And lastly, Whether it be just to punish and persecute with the Sword, and utterly to drive into eternal Exile, and for ever to disseize of an ancient inheritance, Him or them that have never offended?

The 14th.

That when those in Authority shall neglect the great Ends of Government, and improve all opportunities and advantages by means of their Power and Grandure, unto their own Personal and Family interest; especially when they shall wilfully, and against common and universal reason, act contrary thereunto, to the apparent danger of common safety, they determine their Authority; and having in such cases quitted their care and respects to the peoples protection and welfare, they likewise quit the people from their allegiance and obedience.

If by *those in Authority* be meant those that have no more Authority than what the fundry pretenders to it have really had, since the suppressing of the known, legal and true Parliament of *England*; their improving all opportunities and advantages to their own personal and family interest, is no more than what in reason could be expected from them. And if they that set up such strange Authorities,

thorities, which *England* hath ever heretofore been happily unacquainted with; shall take them down again at their pleasure, there needs no special plea for such a practice.

But if by *those in Authority* be meant the full, whole, equal and free Parliament of *England*, in its ancient and legal constitution; that such an entyre and true Parliament, consisting of the Prince, the Peers, and the whole people (in their equal Representative) should all conspire together (there being no just power in any one of those three estates to make a binding Law without the other two, or in any two without the third,) to be so grossely unrighteous as to improve all their power joyntly to their several personal and family interests; (if it were possible,) or should all at once fall into so high a degree of folly or lunacy as wilfully to act against common and universal Reason; and that, to the apparent danger of Common Safety, wherein their own share is greater than of tentimes so many other men; Surely, to imagine such a thing first, and then to suppose it as probable, and (more than that) to insinuate that it hath been so done *de facto*, and practically to conclude from thence, that the People, (that is, they that Will be call'd the people,) are quitte from their Allegiance, and from all Obedience to their only lawful Governours, and the ancient fundamental and only lawful Government of the Nation; what to call this, to give it a proper title, will require some time to consider.

That as all Lawes, Statutes, Acts and Ordinances, so all The 15th. Engagements, Promises, and Protestations, all Acknowledgements, Subscriptions, Vowes and Oaths, all, and all manner of Obligations and Expressions thereof, are only binding unto the Publick Safety, and not at all to the Persons of the Governours, or formes of Government, but with reference therunto.

That which is here insinuated & must be so understood, (if all

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all this be any thing at all to the justification of the *present practice* of suppressing by a lawlesse power all the fundamental laws of the land, & the whole ancient & lawful Government thereof,) is, that all the said Laws, and the whole Government it self are utterly inconsistent with, and certainly destructive to the *Publi^k Safety*: That is, all our Law-givers, Kings and Parliaments in all former ages were either ignorant of what was conducing to that End, or maliciously bent against it; and the whole people that have generally promised, protested, covenanted and sworn to maintain the ancient Government and the known Laws of the Land, were either all out of their wits when they did it, or never had any, till the *Light*, the *Light* of these rare Principles came forth, and shined upon them. And yet (for all that,) the Publick Safety (which was never much endangered till these blessed dayes) hath been ever hitherto effectually preserved, no man can imagine how!

But if this new Doctrine may passe for current, the Use and End of all Promises, Covenants, Protestations and Oaths is utterly lost; and consequently, it must be a taking of Gods name in vaine to promise any thing upon Oath in any case. For needs must that be in vaine that can never attain the End that is pretended for it. The only end of an Oath by which a Promise is confirmed, is the *unquestionable assurance* of the effectual performance of that which is promised: If then in this, he that promiseth may be fast or loose, as he himself shall judge the real performance conducing or not conducing to Publick Safety, the undoubted Assurance which that Oath should cause being the greatest uncertainty, the Oath is absolutely *taken in vain*; and consequently perjurious in the very taking of it, as well as in the ensuing contempt, if not performed: For, that God is not invoked in the Oath taking to give testimony to a lye, must meerly depend upon the *fallible* opinion

opinion of every one that takes that Oath, touching what is, or is not conducive to Publick Safety.

And whereas it is said, that Promises, Protestations and Oaths are *only binding unto the Publick Safety*, there can be nothing more abominably and scandalously false. For, that the special matter of the Promise or the *thing promised by Oath*, is *that only thing* to which the Oath and the Promise (as such) do properly oblige, is a truth too apparent to be contradicted, or doubted of. Otherwise, when a Witnesse hath sworn, or promised by Oath, *to speak the whole truth, and nothing but the truth*, he may safely neglect this special matter of his Oath, and speak any thing or no thing, in case he be convinced in his judgment that the discovery of such a truth is inconvenient for the *Publick Safety*. If the case be not the self-same, when men have sworn or promised by Oath, *to bear faith and true Allegiance to the King, his heirs, and lawful successors*, wherein lies the difference? Why doth not the Oath in this case *bind simply* to the *special matter* of it, as well as in the former, or in any other?

If Oaths be binding only to the Publick Safety, or to some other real or pretended End, *and not as all to the persons of those men to whom the promises (thereby confirmed,) are made, nor to the special matter*, to wit, the actual and effectual performance of what is promised, two grosse absurdities will follow; First, that there can be no such thing as perjury, or breach of Oath committed by any person in any case imaginable. For that man is mad that will ever judge that to be *Publick Safety*, wherein his *own* is not included; and a mans *own safety* is that which every man doth naturally and necessarily desire, and most earnestly pursue (according to his power, and the uttermost of his understanding) in all his actions: Therefore, if an Oath binds only to this End, he steadfastly aiming at this,

in the non-performance of his Oath, is guilty of no breach of it, in what case soever it be: and so, perjury is simply impossible in any case imaginable.

The second is, That all promises confirmed by Oaths, are to no purpose at all, (be the case what it will, or can;) For, they either have no *binding force* at all, or they must needs binde to the *performance* of them, and that to the *person or persons* to whom they are made: if therefore they binde to neither of these, they signifie just *nothing*; and consequently, all Oaths taken in confirmation of them are absolute perjuries and blasphemies. For, the Oath binde*s* only and precisely to what the promise doth; because the Oath binde*s* only to make good the promise, and the promise cannot be made in the aire, but must necessarily be made to some person or persons; If therefore the promise binde not to the *persons* of those men to whom it is made, nor to the performance of what is promised, no more doth the Oath; and so nothing at all comes of either, but palpable wrong to the persons abused and deluded by them, and a blasphemous invocation of God to be witnesse to a lie.

The Authors of equivocations and mental reservati*ons* had not the wit to think of this new device, to elude the Oaths of Allegiance and Supremacy: Those inventions were but toys to *this*. This had they happily hit on, and could in their little modesty have owned, they might have allowed the taking of those Oaths as lawful, even in the plaine sense which the words do expressly signifie, though they had held the real and actual performance of them never so unlawful: For now, they and all the world are taught (to the high Scandal of the Protestant Profession,) that all Oaths and other Obligations (of what kinde soever) *are not at all binding* either to the real and true *performance* of them, or to the *persons* of those to whom they are

are made, (though both these be expressed in the plaine words of the Oath;) but *only to the Publick Safety*, (though this be never mentioned at all therein:) Thus might those holy Fathers have eluded the Obligation of those Oaths, and of all other put upon them, or upon any of their party: Especially, if they had considered withal, that that which was *Publick Safety* to their foes, was no *Publick Safety to them*, (their *own*, being least of all included in it:) and so the said Oaths could binde them to nothing at all, if *only to that which they* (in all reason) must esteem the Publick Safety.

Psal. 15. *Lord, who shall dwell in thy Tabernacle, &c. — He that sweareth to his own hurt, and changeth not.*

Also, that Oaths should be binding only to the Publick Safety, and not at all to the persons to whom they are made, nor to the real and true performance of what is promised thereby, is irresistably confuted by the example of the Oath of *Joshua* and the Princes of *Israel* to the *Gibeonites*. How comes the Oath of Allegiance (back'd by those other, of the Protestation and the Covenant,) to be lesse binding to the persons of the King and his Heirs, than *that* was to the persons of the *Gibeonites*? And how is *real and effectual performance* lesse necessary for the avoiding of perjury now, than it was then? Let all the Chaplains of old O lay their heads together to give a clear categorical answer.

But this will appear to be the harder undertaking, if it be farther considered, that, by the late and present practice upon the Principle aforesaid, two of those three qualifications which God * himself hath annexed to all Oaths, are utterly despised and made nothing of; to wit, Truth and Righteousnesse. For, first, the *Truth* that must be found in the Oath, consisteth in the *full Congruity of the thing promised* (in the real performance of it,) *with the words of the Oath*, under which the promise is made: As, in the Oath

* Jer. 4.2.

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of Allegiance, *F. A. B.* do promise, that from henceforth, I shall bear faith and true Allegiance to the Kings Highness, his Heirs and lawful Successors: If the Faith and true Allegiance to the King and his Heirs here promised, do and shall fully answer to the words of the Oath henceforth; then, in that congruity of the thing promised (and effectually performed) with the expresse words of the promise, is the truth of that Oath; But, if this Truth be wilfully neglected, and the contrary thereto (upon whatsoever pretence) admitted, it is (unavoidably) the most absolute and formal perjury that men can ever possibly be guilty of. And then, if truth be wanting, the other qualification of Righteousness must needs be so. For if the Faith and true Allegiance promised were not due by Law (as by all Law, Divine and Humane, it is,) yet the solempne and expresse promise of it, and that upon Oath, must needs put the dueness of it past all dispute. Therefore the failer of truth, in the difformity between the duty promised, and the words of the promise (which the Oath includeth,) doth necessarily infer the failer of Righteousness also; it being the special and proper act of Righteousness, * *to render to all their dues: If the righteous scarcely be saved.**, where shall the *unrighteous* (and *perjurious* too) appear?

There is another device to elude (if God could be mocked) the Obligation of this Oath: And that is, That when they took it, they then did really and truly intend to perform it, (though they have seen cause since to be of another minde:) and, that the truth of that their first intention, is all the truth that belongeth to the Oath for ever after. How cunning some men can be, to damn their souls! Meer Politicians and formal Atheists must they needs be, that can with any confidence put all the little hope they have of Heaven upon the validity of that, which (upon the least consideration) must needs appear to themselves to signify

Rom. 13. 7.
1 Pet. 4. 18.

nisse just nothing. For, (unlesse they took the Oath with *no judgment*;) they cannot but know, that their inward intention of keeping it, was not so much as mentioned therein: Nor did they at all swear, *to intend then the performance of it*; but, *from thenceforth to perform it*. Therefore the truth of their intention (if there were any,) never was nor is anything at all to that special truth which ought from thenceforth (that is, in all time to come,) to be bound in the special matter of the Oath, which is only and precisely the real and effectual performance of that formal act and duty, of *bearing faith and true Allegiance, &c.* And, as the pretended truth of intention, is nothing to the truth, or is not the formal truth of the real performance of that duty, (which is the only thing promised by the Oath;) So is it nothing at all conducing to the special and proper *End* of it: For, the *End* of that Oath was not to discover the secrets of mens hearts, (the knowledge whereof belongs to none, but God and themselves,) but to bind them to their *External and Civil duty*. The failer of *truth* therefore as touching *this*, is (without all contradiction) that foul and grosse perjury, for which there can be no Apology, nor pardon without repentance.

If this Nation therefore should so far forget their natural and necessary duty of Allegiance to their only lawful Sovereign, as to break through the strongest obligation of this most solemne publick and legal Oath and divers others by which they have promised and sworn the due performance of it, such a National Wickednesse committed in an open, bold, and daring manner, involving an Atheistical defiance of the God of Truth by whom they have sworn, would very soon draw down upon them a National
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and fatal judgment; *and that infalibly*: And the reason hereof is, because this kind of impiety not only dishonours God obliquely, (as all sinne doth,) but directly darkens the glory of God in his great Attribute of *Truth*, wherein he alone excelleth all other that are falsely called so. And because the scandal of the wilful breach of this National Oath can know no limit, it can be no lesse than a total Eclipsing (as much as in men lies) of the glory of God (which he will part with at no rate) in the eyes of all the Nations of the world. And in this kind of sin, this is singular and proper, that, for this, if wilfully committed, no man may pray, that God would remit or avert the temporal and speedy vengeance that is due unto it: because this is the only proper *Expedient* for that necessary and indispensable Vindication of Gods glory in the eyes of men, being by that kind of sin caused (as much as in men lies) to be disreputed among all other Nations to be *the God of Truth*, or, *the only true God*. And the wilful Breach of this Oath is the more horrid, in that it is committed against the highest, clearest, greatest and most publickly known Right in all the world. *1 Cor. 6. 7, 8.* — *Why do ye not rather take wrong? Why do ye not rather suffer your selves to be defrauded? Nay, you do wrong, and defraud, and that your brethren*; What aggravation then were this! *And that your publick Father*, even the greatest nursing Father of the Church, the truest *Defender of the Faith*, and (under God) the greatest Patron of the purest Profession of that Faith in all the world, and by all other Nations (holding the same Profession) ever so accounted.

But, lest they that have never in their proper persons taken that Oath aforementioned, should think themselves to be little concerned in it, it is here to be farther

farther noted, 1. That the Law of God; by the intervention of the inviolable and fundamental Law of the Land (without which the eighth Precept as well as the fifth, of the moral and eternal Law of God would have nothing in this Land to take effect upon,) doth of it self (before and without that Oath) oblige the conscience of every one of the free people of this Nation to perform the duty of bearing faith and true Allegiance to the lawful and rightful King and Government thereof. 2. That the Oath of Allegiance and every other legal Oath to the like effect, being once taken by the whole Nations Representative in Parliament, and in the capacity of such a Representative, must necessarily oblige the Nation represented; no less than the Representative it self; and that (according to the tenor of the Oath,) *from thence forth*, that is, in all time to come. And this appears evidently by the example of the Oath of the Princes of Israel to the Gibeonites. The Princes being the whole peoples Representative, and for that cause, styled *the Princes of the Congregation*, the whole people stood obliged by it, (though not formally taken by every one,) and that *for ever after*. And this appears by the heavey judgment of God upon *Saul's* family, four hundred and thirty

years after, for the breach of that National Oath, though he himself had never formally taken it.

For though an Oath be *vinculum personale*, yet that is no reason why in such a case it should not binde the consciences of those persons that (formerly) took it not, but rather why it should; to wit, because those persons that took it, took it not only in their own formal capacity, as so many single men, but more especially in their Publick and Representative capacity, as sustaining the *person* of all the rest of the people; In which

2 Sam. 21. 1, 2.

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which case, the persons of all other represented by them are obliged by that Oath; it being even to *them*, at least by *interpretation*, a *personal* Oath; and they themselves personally took it: For, in this case, or any other the like, *Quod quis facit per alium, facit per se*; That which any one doth by another in his stead, he doth by himself. Therefore as the whole people do by their freely chosen Representative consent to the enacting of a Law, so to the taking of this legal Oath, and are therefore no lesse obliged personally by both than their Representatives are.

All the Persons therefore of the whole people that shall formally consent to the Breach of this National Oath, are as formally guilty before God both of that Perjury and injustice as any particular persons are, in what capacity or place of Authority soever they be.

These are all but one, which is rather implied, than expressed, and is to this effect, *viz.* That it is lawful to justify one iniquity by another: Or, that, because some persons have done such things, others may do the like. Or, (more expressly,) That, *strange and unknown practises*, never done before, nor at all justifiable by any known Lawes, and (doubtlesse in respect of the letter of the Law,) very illegal actions (and those in expresse contradiction to divers National Oaths,) may lawfully and justifiably be done; (and that) by persons, that are not the whole or the greater part of the whole number of those, in whom the Supreme Government is (by the ancient constitution and uninterrupted usage, and known Law and Custome of the Nation,) really and of right existing: And that such unknown and strange practises, (extending to the totall dissolution of

of the only known legal Government,) being justifiable by no known Law, Divine or Humane, by no former Precedent, good or bad, nor by any certaine Rule and just Measure of Civil Righteousness, may yet be justified by the pretended Light of the aforesaid Principles, falsely called Principles of common Reason, Justice and Equity.

What S. Ireneus of old said of the horrid and grosse Heresies of the Valentinians, *That the mere discovery of them was Confutation enough*, may very well be said of this no lesse horrid and heretical Assertion.

The pretended *Light* of the aforesaid Principles, (much like that of the Quakers, is here confessedly opposed to all the known Law of the Land. And yet, beside the whole body of all the known Laws of the Land, and true Customes of the Nation, there is not any thing imaginable, by which the several persons of it are or can be actually united and formally constituted a *Civil Body*. And, that, where there is no *Civil Body*, there can be no civil Authority, is as plain and certain, as that twice two is four, or thrice three, nine. By what Authority then could or can any such strange and unknown practices be done, which (by the Actors own confession) are not only beside, but directly contrary to all known Law?

It is impossible for a stream to rise higher than the Fountain out of which it flows. The known Law of the Land, and the fundamental Customes of the Nation (and not the light of any principles of common reason, which all the Nations of the world are equal partakers of,) being the only proper and formal cause of the very constitution of the *Civil Body* as such, must needs be the only fountain of all *Civil Authority* and

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lawful Power in it: *This* therefore can never rise higher, or reach farther than that Law, Custome, and civil Constitution. Therefore whatsoever hath beene done, by what persons soever, beside, or beyond, or more directly contrary to the known Law, Custome and civil Constitution of the Kingdom, hath been done by *no civil Authority or lawful power*. And consequently, whatsoever hath so been done, (by what person soever, or in what capacity soever,) must necessarily infer the guilt of that *unrighteousnesse*, which nothing but true repentance can remove; and no repentance can be true, if the sin it self be wilfully persisted in.

FINIS.

